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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/539,249	12/06/2005	Kunihiko Ishikura	1669-02000	9259
23505	7590	12/13/2006	EXAMINER	
CONLEY ROSE, P.C. P. O. BOX 3267 HOUSTON, TX 77253-3267			PATEL, KIRAN B	
			ART UNIT	PAPER NUMBER
			3612	

DATE MAILED: 12/13/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/539,249

Applicant(s)

ISHIKURA ET AL.

Examiner

Kiran B. Patel

Art Unit

3612

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 November 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) 4, 8, 11-13 and 16-20 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3, 5-7, 9, 10, 14 and 15 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Non-Final Rejection (11/29/06)

Election/Restriction

1. Applicant's election without traverse of Species A, Claim(s) 1-3, 5-7, 9-10, and 14-15, is acknowledged.

Claim(s) 4, 8, 11-13, 16-20, are withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected Species, there being no allowable generic or linking claim.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claim(s) 1-3, 5-7, 9, 14 are rejected under 35 U.S.C. 102(b) as being anticipated by (JP-P2002-2278A).

Regarding Claim(s) 1-3, 5-7, 9, 14, (JP-P2002-2278A) discloses the invention as claimed to include an external frame Fig 1 attached to the interior of a vehicle via a supporting shaft 11; and a plate member 4 releasably attached in such a position so as to occupy an open window Fig 1 penetrating a central portion of the

external frame, wherein: the external frame has a sliding structure Fig 1 that allows the plate member to be slidably attached Fig 1; an insertion opening provided along a side of the external frame Fig 1, and a sliding groove for slidably engaging at least an outer edge of the plate member inserted through the insertion opening Fig 1; a cover cap 42 is provided at the insertion opening to restrict movement of the plate member by the cover cap; at least one sheet having a design, and at least one transparent plate disposed on at least one face of the at least one sheet 4; wherein the plate member 4 comprises a light transmissibility controlling plate; at least one sheet member having a design, and at least one transparent plate disposed on at least one face of the at least one sheet 4; wherein the light transmissibility controlling plate 4 is a semi-transparent plate; wherein the plate member 4 comprises at least one plate providing the performance of at least one function.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claim(s) 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over (JP-P2002-2278A) as applied to claim 1 and further in view of Takahashi (4,726,620).

Regarding Claim(s) 10, (JP-P2002-2278A) discloses the invention as claimed.

However, (JP-P2002-2278A) does not disclose a perforated plate.

Takahashi (4,726,620) discloses a perforated plate (Abstract).

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the invention, as disclosed by (JP-P2002-2278A), to include a perforated plate, as disclosed by Takahashi (4,726,620), to control the light transmissibility by the visor.

4. Claim(s) 15 is rejected under 35 U.S.C. 103(a) as being unpatentable over (JP-P2002-2278A) as applied to claim 1 and further and in view of ordinary skill in the art.

Regarding Claim(s) 15, (JP-P2002-2278A) discloses the invention as claimed.


However, (JP-P2002-2278A) does not disclose plate provides a cardholding function.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to provide a plate with card holding function, since it has been held to be within the general skill of a worker in the art to use a plate with cardholding function as in use for long many years.

Conclusion

5. The prior art made of record in attached Notice of Reference Cited (PTO-892) and not relied upon is considered pertinent to applicant's disclosure. This art of record shows various features similar to the applicant's invention.

6. Any inquiry concerning this communication or earlier communications should be directed to Primary Examiner Kiran B. Patel whose telephone number is 571-272-6665. The examiner can normally be reached on M-F from 8:00 to 5:00. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.


Kiran B. Patel, P. E.
Primary Examiner
Art Unit 3612
November 29, 2006